



MINUTES
Winfield Town Council Meeting
Meeting date: Tuesday, September 22nd, 2020

Call to Order: A meeting of the Winfield Town Council was held at the Winfield Government Center, 10645 Randolph Street, Winfield, Indiana on September 22nd, 2020. The meeting convened at 6:28 PM. The Pledge of Allegiance was recited.

Rick Anderson conducted roll call:

Members in attendance: Dave Anderson, Tim Clayton, Jon Derwinski, and Zack Beaver

Members not in attendance: Gerald Stiener

Also in attendance: Rick Anderson, Clerk-Treasurer; Attorney David Austgen from Austgen Kuiper Jasaitis P.C.; Nick Bellar, Town Administrator/Planning and Zoning Administrator; Mike Duffy, Town Engineer; Anthony Clark, Public Works Director; and Dan Ball, Town Marshal.

APPROVAL OF MINUTES:

Tim Clayton entertained a motion to approve the minutes of the Town Council Executive Sessions of August 25, 2020, and September 8, 2020 and regular Town Council Meetings of August 25, 2020, and September 8, 2020. Dave Anderson made the motion to approve the minutes, Jon Derwinski seconded the motion. The minutes were approved as presented by a vote of 4-0.

STAFF REPORTS:

- Nick Bellar reported new home construction permits are still up from last year. Numbers are still trending upward, normally at this time building starts to slow down. BZA has been busy with a few variance reviews coming in. Plan Commission has approved Latitude Phase 2 and it's on the agenda tonight. He is still working on Zoning Map and Town Code changes along with some other smaller subdivide projects coming up. They are also working on putting together the first meeting for the Park Impact Fee Study.
- Anthony Clark, Public Works Director, reported the vector truck is down again, so they are behind on their storm water clean out project. They were able to determine the cause of the flooding issue on 105th in Trees and they are currently working on a resolution. There was a large tree root blocking the pipe. They are also getting the trucks ready for winter and they should be good on salt through the beginning of the new year.
- Town Marshal, Dan Ball, submitted his monthly stats in writing. Dan noted traffic citations have been down lately. He believes this is most likely due to people still working from home and school still being on a hybrid schedule. They have been responding more to disturbance calls and wellbeing checks. Dan stated Officer Moore made an arrest and recovered drugs and cash, they were able to issue felony charges on the individual. The Westerhoff case was recently in the paper that resulted in a fatal car crash in December of 2018. They are getting a plea bargain guilty plea from Mr. Westerhoff. Officer Moore was also the lead investigator on that case. This criminal case will not go to trial.
- Jeff Kish, LOFS Fire Chief, was not present. Their monthly stats were submitted in writing.



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PUBLIC COMMENTS (Agenda Items): None.

CITIZEN REQUESTING PLACEMENT ON AGENDA (Non-related to the Agenda): None.

SPECIAL ACTIONS:

1. *Public Hearing for 2021 Town of Winfield Budget.*

Rick Anderson noted this public hearing has been properly published and advertised. The adoption date is set for October 27th. After his presentation last meeting he was asked to go back and adjust for some small wage increases for most employees of 1.5%, so that has been added along with the purchase of an additional vehicle for town employee use. The operating balance for the town general fund remains on target at 25% the total controlled budget for 2021 is \$3.3 million the total budget including utilities and non-controlled funds combined is just below \$5.6 million. Both of these numbers will be reduced when the town issues debt later this year. Property tax levy is at \$2.07 million, that is the limit the town can adopt. The tax rate at adoption will be around \$0.51 and once it is finalized with the debt issuance finalized, it will be around \$0.40.

Tim Clayton opened the Public Hearing for the 2021 Budget at 6:36p.m. After asking three times for comments, none were made and the Public Hearing was closed.

UNFINISHED/DEFERRED BUSINESS:

NEW BUSINESS:

1. *Consideration of Ordinance 307, Town of Winfield 2021 Budget, First Reading.*

Dave Anderson made the motion to approve Ordinance 307, Town of Winfield 2021 Budget, on first reading in title only. Dave proceeded to read the title in full. Jon Derwinski seconded the motion, the motion carried with all in favor 4-0.

2. *Recommendation from Plan Commission, Performance Bond for Latitude Phase 2, \$456,564.91.*

Attorney Mark Anderson was present on behalf of Diamond Peak Group LLC. He provided copies of the letter of credit for the Performance Bond. Dave Anderson made the motion to accept the recommendation from the Plan Commission for the Performance Bond for Latitude Phase 2 in the amount of \$456,564.91 subject to legal review. Jon Derwinski seconded the motion. Attorney Austgen asked when does the current letter of credit expire. Rick Anderson said this is a new letter of credit. Nick Bellar stated each phase gets its own letter of credit. Attorney Austgen clarified this is not apart of the initial large letter of credit at the beginning of the project. Nick stated that is correct, that letter of credit has been largely reduced and portions released. After no further discussion, the motion carried with all in favor 4-0.

3. *Approval of the hiring of Deputy Stephen Garpow and Swearing in Ceremony.*

Rick Anderson conducted the oath of office for Deputy Stephen Garpow. Town Marshal, Dan Ball, presented him with his badge.



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4. Consideration of Ordinance 308, Establishing Handgun License Application Fee.

Dan Ball stated on July 1st of this year, the State of Indiana changed the handgun application process. Now that they have their own clerk to help process the permits, and the changes by the State for this to be processed online, they can now offer this service. They would take in a local \$50 fee from the applicant and they have to have a local background check that is then sent to the State for a full background check that approves the application. Tim Clayton asked how long it takes in office here. Dan said it would not take more than 10 or 15 minutes here in office unless something came up in their local background check. Dan said currently they have had to send people to Lake County Sheriff's Department to do this. They are limiting this to Winfield residents only. Zack Beaver asked how the local background check works with the full background check provided by the State. He stated a person's record might come up clean but a local department might be aware of the individual more by the number of calls and any other involvement they may have had with the individual. Dan explained there is a check list he provides and a certain criteria State is looking for. If he sends it as disapproval, he will have to provide reason and documentation to support it. The State will take that into consideration and they always change it on their end but the documentation is needed first. Dan said this will only take place between the hours of 9am-1pm when he and clerk are both present; he will have the only approval for it. Dave Anderson made the motion to approve Ordinance 308, an Ordinance establishing the Handgun License Application Fee in title only on first reading. Zack Beaver seconded the motion. Rick Anderson asked Dan if he has had time to review the Ordinance language. Dan said yes and he did not have a problem with it. Rick also said he only has a draft copy of the Ordinance, Attorney Austgen stated he would provide a finalized copy. Tim Clayton asked when this will become active once adopted. Attorney Austgen said it will be immediate but there will need to be a publication for the fee. After no further discussion the motion was approved 4-0. Dave Anderson made the motion to suspend the rules and hear Ordinance 308 on second reading, Jon Derwinski seconded the motion. Rick Anderson conducted a roll call vote; Zack Beaver, yes; Jon Derwinski, yes; Dave Anderson, yes; Tim Clayton, yes. Dave Anderson made the motion to adopt Ordinance 308, an Ordinance establishing the Handgun License Application Fee on second reading in title only. Zack Beaver seconded the motion, the motion carried with all in favor 4-0.

TREASURERS REPORT:

Rick Anderson presented the Treasurer's Report through August 31, 2020 and routine claims-to-date in the amount of \$369,703.97. Tim Clayton entertained a motion to pay the claims. Dave Anderson made a motion to pay the claims in the amount of \$369,703.97. Jon Derwinski seconded the motion. After no further discussion the motion carried with all in favor 4-0.

ANNOUNCEMENTS: Tim Clayton noted the upcoming meetings.

ADJOURNMENT:

Tim Clayton entertained a motion to adjourn the meeting. Dave Anderson made a motion to adjourn and it was seconded by Jon Derwinski. All were in favor, the motion carried 4-0. The meeting adjourned at 6:52 p.m.



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Gerald Stiener
Town Council President

Richard C. Anderson, Jr.
Clerk-Treasurer

Kim Wachowski
Recording Secretary

Date of Approval _____